

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION**

**IN THE MATTER OF THE COMPLAINT
OF KIRBY INLAND MARINE, LP
OWNER OF THE M/V MISS SUSAN,
KIRBY 27705, KIRBY 27706
PETITIONING FOR EXONERATION
FROM OR LIMITATION OF LIABILITY**

* CIVIL ACTION NO.
* 14-1321
*
* ADMIRALTY
*
* Pursuant to Rule 9(h)
* of the Federal Rules of
* Civil Procedure

Consolidated with

**IN RE: SEA GALAXY MARINE SA, AS
OWNER OF THE M/V SUMMER WIND
PETITIONING FOR EXONERATION
FROM OR LIMITATION OF LIABILITY**

* * * * *

**CIVIL ACTION NO.
14-134**

**AGREED ORDER OF DISMISSAL AS TO THE
CLAIMS OF BBC CHARTERING & LOGISTIC GMBH & CO. KG AND
BBC PROJECT CHARTERING GMBH & CO. KG ONLY**

On this 30th day of SEPTEMBER, 2014, came Claimants, BBC Chartering & Logistic GmbH & Co. KG and BBC Project Chartering GmbH & Co. KG, and Petitioner, Kirby Inland Marine, LP and jointly moved this Court to dismiss with prejudice all claims by BBC Chartering & Logistic GmbH & Co. KG and BBC Project Chartering GmbH & Co. KG as to Petitioner, Kirby Inland Marine, LP in this matter. In connection with this, it was represented to the Court that all claims by BBC Chartering & Logistic GmbH & Co. KG and BBC Project Chartering GmbH & Co. KG in this matter pertaining to Kirby Inland Marine, LP have been compromised and settled, and that, as part of such settlement agreement, all claims by BBC Chartering & Logistic GmbH & Co. KG and BBC Project

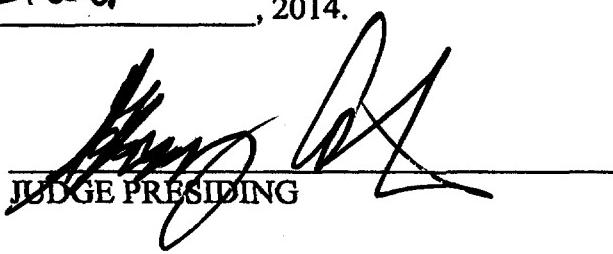
Chartering GmbH & Co. KG in this matter against Petitioner, Kirby Inland Marine, LP, are to be dismissed with prejudice. The Court, being fully advised, finds that all claims held by BBC Chartering & Logistic GmbH & Co. KG and BBC Project Chartering GmbH & Co. KG in this matter against Petitioner, Kirby Inland Marine, LP in this matter should be DISMISSED WITH PREJUDICE. This judgment is final in all respects and dismisses all claims held by BBC Chartering & Logistic GmbH & Co. KG and BBC Project Chartering GmbH & Co. KG against Petitioner, Kirby Inland Marine, LP related to the incident made the subject of this litigation which are or could have been brought in this case.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that all claims herein held and made by BBC Chartering & Logistic GmbH & Co. KG and BBC Project Chartering GmbH & Co. KG against Petitioner, Kirby Inland Marine, LP in this matter are dismissed with prejudice, with each party to bear its own costs.

All other relief not granted herein is expressly denied.

THIS IS A FINAL JUDGMENT.

Signed this 17 day of October, 2014.



JUDGE PRESIDING

**APPROVED AND AGREED TO
AS TO SUBSTANCE AND FORM:**

Respectfully submitted,

GALLOWAY, JOHNSON, TOMPKINS,
BURR & SMITH

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